

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ORDER NO. R9-1004-0195
ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY
FOR
MANDATORY MINIMUM PENALTIES
AGAINST
SAN ELIJO JOINT POWERS AUTHORITY
SAN ELIJO WATER RECLAMATION FACILITY
VIOLATION OF
ORDER NO. 99-71, CA0107999
WASTE DISCHARGE REQUIREMENTS
FOR THE
SAN ELIJO JOINT POWERS AUTHORITY
SAN ELIJO WATER RECLAMATION FACILITY
DISCHARGE TO THE PACIFIC OCEAN
VIA THE SAN ELIJO OCEAN OUTFALL**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), on June 10, 2004, having received a signed waiver of public hearing form and a payment of \$3,000 and having reviewed the allegations contained in Revised Complaint No. R9-2004-0068, dated May 14, 2004, and on the recommendation for administrative assessment of Civil Liability pursuant to California Water Code section 13385 in the amount of \$3,000, finds as follows:

1. San Elijo Joint Powers Authority is authorized to discharge up to 5.25 million gallons per day of wastewater through the San Elijo Ocean Outfall to the Pacific Ocean in accordance with waste discharge requirements contained in Order No. 99-71 which was adopted by the Regional Board on November 10, 1999.
2. The Discharge Specifications' section of Order No. 99-71 contains a daily maximum effluent limitation for total suspended solids of 50 mg/L. On January 19, 2000, San Elijo Joint Powers Authority reported a total suspended solids result of 70.2 mg/L.
3. California Water Code section 13385(h) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each serious violation. California Water Code section 13385(h)(1) states that a "serious violation" means any waste discharge that violates the effluent limitation contained in the applicable waste discharge requirements for a Group I pollutant by 40 percent or more or for a Group II pollutant by 20 percent or more, as